

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

UNITED STATES OF AMERICA, )  
v. )  
Plaintiff, ) CR No. 2:08-CR-20378-STA  
BRIDGES McRAE, ) 2:10-CR-20422-STA  
Defendant. )

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**POSITION IN RESPONSE TO PRESENTENCE REPORT**

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Comes now the United States, by and through counsel, Edward L. Stanton, III, United States Attorney for the Western District of Tennessee and files this position with respect to the Presentence Report in the instant case.

United States submits that in plea negotiation, the United States agreed to take the position that a deadly weapon was not used.

The Presentence Report uses the calculation for aggravated assault. However, the United States would also request that an alternative calculation for simple assault be completed and presented to the Court. The Court then may make a determination of the appropriate guideline to be used in the instant case.

The United States has consulted with counsel for the defendant. They have no objection to the United States' position. Additionally, the United States has no objections to the Presentence Report.

Respectfully submitted,

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#### CERTIFICATE OF SERVICE

I, Stephen C. Parker, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing **Motion** has been sent to Lorna McClusky via the Court's electronic filing system. A copy of this document has been hand delivered to the U.S. Probation Office.

This 21st day of February, 2011.

/s/ Stephen C. Parker  
Assistant United States Attorney